

Article - State Government

[\[Previous\]](#)[\[Next\]](#)

§9-1A-04.

(a) The Commission shall:

(1) promptly and in reasonable order, make a determination on license applications and causes affecting the granting or renewal of licenses under this subtitle;

(2) issue licenses in accordance with this subtitle;

(3) after a hearing, promptly and in reasonable order, make a determination on the suspension or revocation of licenses under this subtitle;

(4) except as provided in subsection (b)(1)(v) of this section, after a hearing, suspend or revoke as applicable the license of a licensee who has a license suspended or revoked in another state;

(5) conduct hearings concerning civil violations of this subtitle or regulations issued under this subtitle;

(6) collect application, license, and other fees to cover the administrative costs of this subtitle related to licensing;

(7) deposit application, license, and other fees to a bank account that the State Treasurer designates to the credit of the State Lottery Fund to cover the administrative costs of this subtitle related to licensing;

(8) levy and collect civil penalties for civil violations of the provisions of this subtitle or regulations issued under this subtitle;

(9) be present at a video lottery operation through its employees and agents at any time during the operation of any video lottery terminal or table game for the purpose of certifying revenue from the video lottery terminals or table games, receiving complaints from the public, and conducting any other investigation into the operation of the video lottery terminals or table games and the maintenance of the video lottery terminals and associated equipment and software and table games and table game equipment as the Commission may deem necessary and proper;

(10) review and rule on any complaint by a licensee regarding any investigative procedures of the Commission that are unnecessarily disruptive of video lottery and table games operations; and

(11) authorize a holder of a video lottery operation license under this subtitle to offer table games to the public in the State.

(b) (1) The Commission may:

(i) issue subpoenas to compel the attendance of witnesses at any place within the State in the course of any investigation or hearing under this subtitle;

(ii) administer oaths and require testimony under oath before the Commission in the course of any investigation or hearing conducted under this subtitle;

(iii) serve or cause to be served its process or notices in a manner provided for service of process in civil actions under the Maryland Rules;

(iv) propound written interrogatories; and

(v) suspend a license on an emergency basis if it is determined that the suspension is necessary to protect the State's gaming program against a serious and imminent risk of harm to its integrity, security, or profitability.

(2) If the Commission suspends a license on an emergency basis, the Commission shall schedule promptly a hearing on the suspension and provide the licensee with written notice of the suspension.

(3) The Commission may delegate to the Director its authority under paragraph (1) of this subsection.

(c) Except as otherwise provided in this subtitle, the Commission shall conduct a hearing in the same manner as specified in Title 10, Subtitle 2 of this article.

(d) The Commission shall adopt regulations that include the following specific provisions in accordance with this subtitle:

(1) establishing the methods and forms of application that an applicant for any license required under this subtitle shall follow and complete before consideration of the application by the Commission;

(2) establishing the methods, procedures, and form for delivery of information from an applicant or licensee concerning any person's family, habits, character, associates, criminal record, business activities, and financial affairs;

(3) establishing the procedures for the fingerprinting of an applicant for any license required under this subtitle or other methods of identification that may be necessary in the judgment of the Commission to accomplish effective enforcement of the provisions of this subtitle;

(4) establishing the manner and procedure of hearings conducted by the Commission;

(5) establishing the manner and method of collection of taxes, fees, and civil penalties;

(6) defining and limiting the areas of operation for video lottery terminals and table games, rules of video lottery terminals and table games, odds for video lottery terminals and table games, the types and values of promotional items that may be given away to encourage play of video lottery terminals and table games, the method of operation of the video lottery terminals and table games, and the number and types of table games;

(7) regulating the practice and procedures for negotiable transactions involving players, including limitations on the circumstances and amounts of negotiable transactions and the establishment of forms and procedures for negotiable instrument transactions, redemptions, and consolidations;

(8) prescribing the grounds and procedures for reprimands of licensees or the revocation or suspension of licenses issued under this subtitle;

(9) governing the manufacture, distribution, sale, and servicing of video lottery terminals and table games;

(10) establishing the procedures, forms, and methods of management controls;

(11) providing for minimum uniform standards of accountancy methods, procedures, and forms as are necessary to ensure consistency, comparability, and effective disclosure of all financial information, including percentages of profit for video lottery terminals and table games;

(12) establishing periodic financial reports and the form of the reports, including an annual audit prepared by a certified public accountant licensed to do business in the State, disclosing whether the accounts, records, and control

procedures examined are maintained by the video lottery operation licensee as required by this subtitle and the regulations that shall be issued under this subtitle;

(13) requiring licensees under this subtitle to demonstrate and maintain financial viability;

(14) ensuring that the operation of video lottery terminals, table games, and video lottery facilities is conducted legally;

(15) establishing procedures for the removal of video lottery terminals from a video lottery facility;

(16) determining the suitability of:

(i) the use of any variations or composites of the table games authorized under this subtitle after an appropriate test or experimental period under terms and conditions that the Commission may deem appropriate; and

(ii) any other game that is compatible with the public interest and suitable for casino use after an appropriate test or experimental period deemed appropriate by the Commission;

(17) establishing procedures for accounting for all money exchanged at each table game;

(18) establishing the number of video lottery terminals that may be removed from a video lottery facility to accommodate table games;

(19) requiring each video lottery operator under this subtitle to:

(i) establish procedures to offer players the opportunity to donate coins, when receiving cash on payout, to the Maryland Veterans Trust Fund established under § 9–913 of this title; and

(ii) attach donation boxes near the exits from a video lottery facility, with the proceeds dedicated to the Maryland Veterans Trust Fund; and

(20) otherwise carrying out the provisions of this subtitle.

(e) (1) The Commission shall by regulation require an applicant or licensee to file a bond for the benefit of the State for the faithful performance of the requirements imposed by this subtitle and any regulations issued under this subtitle.

(2) An applicant or licensee shall obtain and submit satisfactory proof of the bond to the Commission before a license is issued or reissued.

(3) The bonds furnished may be applied by the Commission to the payment of an unpaid liability of the licensee.

(4) The Commission by regulation may exempt categories of video lottery and table game employees who are not directly involved in the video lottery and table game operations from the requirements of this subsection if the Commission determines that the requirement is not necessary in order to protect the public interest or accomplish the policies established under this subtitle.

(f) (1) The Commission shall promptly and thoroughly investigate all applications and enforce this subtitle and regulations that are adopted under this subtitle.

(2) The Commission and its employees and agents shall have the authority, without notice and without warrant, to:

(i) inspect and examine all premises in which video lottery and table game operations under this subtitle are conducted or any authorized table games, table game equipment, video lottery terminals, central monitor and control system, or associated equipment and software designed, built, constructed, assembled, manufactured, sold, distributed, or serviced, or in which records of those activities are prepared or maintained;

(ii) inspect any table games, table game equipment, video lottery terminals, central monitor and control system, or associated equipment and software in, about, on, or around those premises;

(iii) seize summarily and remove from those premises and impound, or assume physical control of, any table games, table game equipment, video lottery terminals, central monitor and control system, or associated equipment and software for the purposes of examination and inspection;

(iv) inspect, examine, and audit books, records, and documents concerning a licensee's video lottery and table game operations, including the financial records of a parent corporation, subsidiary corporation, or similar business entity; and

(v) seize, impound, or assume physical control of books, records, ledgers, cash boxes and their contents, a counting room or its equipment, or other physical objects relating to video lottery or table game operations.

(3) A licensee shall authorize any other person having financial records relating to the licensee to provide those records to the Commission.

(g) The Commission may not charge a video lottery facility a fee to offer table games.

(h) The Commission may not permit the operation of video lottery terminals in Prince George's County before the earlier of July 1, 2016, or 30 months after the video lottery facility in Baltimore City is open to the public.

[\[Previous\]](#)[\[Next\]](#)